



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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**JUN 21 2013**

Ref: 8EPR-N

Catherine Robertson, Field Manager  
Bureau of Land Management  
Grand Junction Field Office  
2815 H Road  
Grand Junction, Colorado 81506

Re: Grand Junction Field Office Draft Resource  
Management Plan and Environmental Impact Statement,  
CEQ # 20130010

Dear Ms. Robertson:

The U.S. Environmental Protection Agency Region 8 (EPA) has reviewed the Bureau of Land Management's (BLM) Grand Junction Field Office (GJFO) Draft Resource Management Plan and Environmental Impact Statement (Draft EIS). The EPA's comments are provided pursuant to our authorities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act (CAA).

### **Background**

The GJFO planning area includes approximately 2.2 million acres of BLM, U.S. Forest Service (FS), U.S. Bureau of Reclamation (BOR), state and private lands in western Colorado's Garfield, Mesa, Montrose and Rio Blanco Counties. There are nearly 1.1 million acres of BLM administered public lands and 1.2 million acres of federal mineral estate in the planning area. Alternatives analyzed in the Draft EIS include: Alternative A (No Action Alternative), Alternative B (Preferred Alternative, emphasizing balancing management of resources), Alternative C (emphasizing nonconsumptive use and management of resources while providing for multiple use) and Alternative D (emphasizing active management for natural resources, commodity production and public use opportunities).

### **The EPA's Comments and Recommendations**

The EPA's comments on the Draft EIS focus on air and water resources. Along with an explanation of these comments, we offer recommendations on how the BLM might address them. The Draft EIS is a very well written document. We found it to be clear, well-organized, and easy to read. We would like to commend the BLM in regard to the analysis of, and proposed mitigations provided for, water resources in the Draft EIS. Our water resource comments include recommendations for additional disclosure and some enhancements to protections provided for the Preferred Alternative. Comments are broken out as

follows: (1) air resources; (2) surface water resources; (3) groundwater resources; (4) public drinking water supply sources; and (5) water management and water resource monitoring.

## **1) Air Resources**

### **Protection of Air Resources**

The BLM's commitment (in Section G.4 of the Air Resources Management Plan [ARMP]) to hold oil and gas development activities within the planning area to a rate at or below the previous 5 year average until the BLM completes modeling (Section G.9) is an important component of the ARMP's air quality protection approach, which the EPA supports. This approach is necessary to avoid substantial emissions increases during the interim period between when the BLM issues the Record of Decision (ROD) and completes photochemical grid modeling.

Due particularly to the high ozone levels in the area (88% of the NAAQS), the EPA also supports and finds necessary the BLM's commitment in the ARMP to evaluate and address monitored exceedances of a NAAQS through annual reviews conducted in consultation with CDPHE, EPA, and other local, state, federal, and tribal agencies. We note and also support the BLM's commitment to respond to monitored exceedances that may include additional modeling and mitigation requirements. To ensure full disclosure, the EPA also recommends that the BLM provide in the Final EIS any additional information in regard to their adaptive management strategy for assessing air quality information. We understand and agree that the BLM's air management strategy includes at a minimum the following important components:

- Annual emissions tracking;
- Annual reviews of data;
- Annual analyses of air resource management strategies;
- Identification and implementation of mitigation measures; and
- Evaluation of the need for modifications to the ARMP.

Again, due to existing air quality and planned development in the region, the EPA recommends that the Final EIS, at a minimum, identify potential responses and mitigation measures that the BLM could implement for BLM-authorized sources that may be causing or contributing to a modeled or monitored NAAQS exceedance, such as the following:

- Employing more stringent mitigation measures, such as those listed in Attachment 1, to reduce projected future emissions and performing additional modeling and analysis to determine the overall effectiveness of such mitigations measures;
- Implementing temporary measures that would be included within a project-specific authorization as conditionals of approval, which could limit drilling operations, completions or well stimulations, blowdowns, or other non-essential operations during specified time periods (i.e. a timing limitation); and
- Limiting the number of annual APD approvals issued for the affected area until such time that updated regional modeling can be conducted to provide an appropriate basis upon which to continue with a reasonable level of development.



Because the EPA generally supports the adaptive management approach that the BLM is taking, the EPA recommends revising the contingency planning process included in the ARMP to confirm that the trigger for contingency planning measures will be monitored exceedances of the NAAQS, rather than a violation of the NAAQS.

#### *Future Evaluation of Air Quality Impacts during the Life of the RMP*

The Draft EIS identifies that the West-CARMMS model will evaluate potential impacts using projections of oil and gas development up to a maximum of 10 years from when the ROD is signed, and again thereafter after considering actual development rates and technology advancement that may benefit air quality. The EPA supports the BLM's adopted approach, provided that the BLM reserves the right to require mitigation on all operations approved under this RMP if future modeling shows a significant impact. We believe the BLM's approach facilitates a more realistic method for estimating emissions associated with development authorized by the RMP and leaves room to ensure a level playing field if significant impacts are projected with future modeling.

In short, we support the BLM's approach for using shorter term projections for modeling, provided that there is a commitment in the Final EIS to continue this iterative approach to air quality analysis during the estimated 20 year life of the RMP. To this end, we recommend that the Final EIS explain the approach the BLM intends to use following the initial West-CARMMS modeling. For example, we understand the BLM will annually evaluate the upcoming three to five year period and compare this projected level of development to the level of predicted future development analyzed in the West-CARMMS. We also recommend including a commitment to updating the air quality modeling platform on a regular basis with new information/data, including oil and gas development rates and practices, and updated emission inventories (including EPA National Emissions Inventories every three years). We also suggest including a provision that in the event that the annual emissions from the BLM authorized activities exceed the West-CARMMS modeling emissions, new modeling using updated emissions and RFD forecasts be conducted for the planning area.

#### *Presentation of Air Quality Impacts*

Absent GJFO pre-development modeling to evaluate air quality impacts, the EPA agrees with the BLM that analysis of existing air quality information, including emission inventories for future development, existing regional modeling data and current air quality conditions and trends is critical. The Draft EIS provides emission inventories for both Year 10 and Year 20, which we recommend analyzing in the Final EIS to explain the potential air quality impacts for each of the alternatives identified in the Final EIS. The EPA believes this is a necessary component to the Final EIS to ensure full disclosure of air quality impacts.

To further inform the BLM's air quality impact analysis, we also recommend including a discussion of existing modeling information developed as part of the Draft White River Field Office Resource Management Plan Amendment (WRFO RMPA) air quality study (2012), and information available from the Western Regional Air Partnership (WRAP) Oil and Gas Emission Workgroup Phase III Inventory for the Piceance Basin. We understand that projected oil and gas emissions inventories for year 2020 GJFO oil and gas development and operations were modeled as part of the Draft WRFO RMPA air quality study. Including this information in the Final EIS, together with the commitment to conduct initial West-CARMMS modeling now, and a commitment to conduct analyses as needed into the future



would provide a clear assessment of future air quality in the planning area and serve as a useful planning tool for the air quality adaptive management strategy. Again, we believe that with this information, the Final EIS will have adequately evaluated and disclosed air quality impacts associated with the GJFO RMP.

#### *Use of Regulatory Monitors to Identify Monitored Exceedances*

The EPA and the States use regulatory monitors to evaluate attainment/nonattainment status under the Clean Air Act. State & Local Air Monitoring System (SLAMS) monitors are a subset of regulatory monitors. The ARMP (Section 4.1) and the Draft EIS (Chapter 3, Table 3-2) specify the use of SLAMS monitors to identify monitored exceedances of the NAAQS in the planning area. As you know, “monitored exceedances” play a key role in this RMP in determining if air quality is being degraded by BLM-authorized sources within the planning area and, if necessary, in any BLM determination of whether mitigation is needed. Also, the Grand Junction planning area contains oil and gas development scattered in separate areas across this large planning area. Multiple sites afforded by utilizing all regulatory monitors would provide more complete spatial monitoring coverage. In view of this and given that current ozone air quality in the area is at 88% of the NAAQS, the EPA recommends using all regulatory monitors in the planning area (not just SLAMS monitors) to identify and evaluate exceedances regardless of the attainment status of the area. We also recommend that the Final EIS clarify how many SLAMS and regulatory monitors are located within the planning area and that will therefore be considered for identifying exceedances of the NAAQS.

The Draft EIS (Table 3-2) misidentifies two monitors in the planning area as SLAMS monitors. The Colorado National Monument monitor (for ozone) is a non-regulatory 2B-Tech monitor run by the National Park Service, not a SLAMS monitor. The Highway 141 monitor (for PM<sub>10</sub>) is a Special Purpose (regulatory) monitor, not a SLAMS monitor.

#### *Near-field Modeling*

The Draft EIS uses the near-field modeling analysis completed for the WRFO and Colorado River Valley (CRV) RMPs to support the conclusion that the potential impacts of development activities in the EIS are not expected to cause an exceedance of the 1-hour NO<sub>2</sub> NAAQS. We agree with this approach; however, we recommend the Final EIS provide more complete disclosure of the basis for this approach by including the following information:

- A table/diagram of the emission sources and typical well pad layout analyzed in the WRFO and CRV near-field analysis, as well as a table of the near-field modeling results used and their corresponding locations.
- State that “the assumptions used in the WRFO and CRV analyses are comparable to the situation in Grand Junction because geographic and operational characteristics are similar/representative.”
- Provide a brief explanation of why it makes sense to use project boundary exclusion setbacks to limit public access as an option to the use of Tier IV drill rigs.

#### *Evaluation of Monitored Exceedance*

The ARMP (Section G.4.1) creates new State obligations and alters well-established processes by



requiring CDPHE to determine whether a monitored exceedance of the NAAQS was not caused by an exceptional event and to establish whether BLM-authorized operations are responsible for the monitored exceedance. We cannot support this approach. Instead, we recommend using the collaborative interagency approach described in Section G.4.2.c of the ARMP whereby the BLM would conduct annual reviews in consultation with CDPHE, EPA, and other local, state, federal, and tribal agencies to address monitored exceedances of the NAAQS. We recommend clarifying in the Final EIS that the BLM, after such consultation, will be responsible for determining whether or not a BLM-authorized source or sources caused or contributed to a monitored exceedance.

We recommend including in the Final EIS a discussion of the consultation and evaluation process that the BLM intends to conduct in response to a monitored exceedance of the NAAQS in the planning area. We suggest identifying the following steps for determining if any BLM-authorized activity caused or contributed to the exceedance:

- Determine validity of the monitored data (i.e., review Quality Assurance/Quality Control (QA/QC) and consult with the EPA and CDPHE regarding possible exceptional events);
- Conduct screening analysis to determine likely cause of exceedance;
- Respond to exceedances caused or contributed to by BLM-authorized sources by requiring enhanced mitigation.

## **2) Surface Water Resources**

### **Surface Water Characterization and Mitigation**

The EPA commends the BLM for including in the Draft EIS a thorough analysis of potential impacts to surface waters resources and mitigation measures to avoid or minimize these impacts. Our additional recommendation in this area relates to characterization and mitigation measures related to impaired water bodies. The Draft EIS references Colorado's 2010 303(d) List for impaired waters not meeting water quality standards and Colorado's 2010 Monitoring and Evaluation (M&E) List for water bodies where there is reason to suspect water quality problems. The updated 2012 versions of these lists are available. Colorado's 2012 303(d) List<sup>1</sup> indicates that water quality has become further impaired in the GJFO planning area since 2010. The number of impaired stream segments doubled from 16 in 2010 to 32 in 2012. The EPA recommends that BLM include in the Final EIS the information contained in Colorado's draft 2012 303(d) List and M&E List related to impaired water segments in the GJFO planning area, as well as a qualitative discussion regarding the changes in water quality in the planning area between 2010 and 2012. We also recommend that protective measures be applied to these impaired water segments. Surface disturbances near impaired water segments identified on Colorado's 2012 303(d) List are likely to impact water quality due to shorter travel distances for salts and sediment, potentially exacerbating exceedances of water quality standards. We recommend that a 500' No Surface Occupancy (NSO) stipulation be applied for water segments on the 2012 303(d) List. We note that the BLM recently included a 500' NSO for impaired water segments in the White River RMP Draft EIS (August 2012) for the Preferred Alternative.

<sup>1</sup> <http://www.colorado.gov/cs/Satellite?blobcol=urldata&blobheadname1=Content-Disposition&blobheadname2=Content-Type&blobheadvalue1=inline%3B+filename%3D%22Section+303%28d%29+List+and+Colorado+Monitoring+and+Evaluation+List+%28Regulation+%2393%29.pdf%22&blobheadvalue2=application%2Fpdf&blobkey=id&blobtable=MungoBlobs&blobwhere=1251806966544&ssbinary=true>



### Sediment Load Analysis

Because sediment loading has already caused impairment of numerous water body segments in the planning area, and planned oil and gas activities will contribute to erosion, it is important the Final EIS include additional information about this concern. Erodible soils represent a significant nonpoint source in the planning area, and runoff could introduce sediments, as well as salts, selenium and other heavy metals into surface waters. To ensure sufficient information is included about the potential impacts of soil disturbance, the EPA recommends including in the Final EIS an estimate of erosion rates for each alternative in tons per year based on amount of surface disturbance, soil types, topography and slope, to avoid significant sedimentation. As an example, the Wyoming BLM's Bighorn Basin Draft RMP/EIS estimated sediment runoff based on projected surface disturbance, types of surface disturbance, and general characteristics of the basin (erodible soils, slopes, etc.). Erosion rates were calculated using the Water Erosion Prediction Project (WEPP) model. The WEPP model used by the BLM is a web-based interface designed by the United States Forest Service and can be accessed at: <http://forest.moscowfsl.wsu.edu/fswepp/>. We recommend that BLM consider using this model and including the results in the Final EIS.

### **3) Groundwater Resources Characterization**

The EPA commends the BLM regarding the characterization of groundwater resources, and the protections identified for these resources in the Draft EIS. Our main suggestion is to identify in the Final EIS which aquifers are Underground Sources of Drinking Water (USDWs) under the Safe Drinking Water Act (SDWA). The SDWA regulations define a USDW as an aquifer or portion thereof: (a)(1) which supplies any public water system; or (2) which contains a sufficient quantity of groundwater to supply a public water system; and (i) currently supplies drinking water for human consumption; or (ii) contains fewer than 10,000 mg/l total dissolved solids; and (b) which is not an exempted aquifer (See 40 CFR Section 144.3). In addition, we recommend that the BLM expand Figure 3-5 Municipal Watersheds and Source Water Protection Areas to include sensitive groundwater resources in the planning area, including smaller drinking water systems for which source water assessments have been completed, as mentioned in the Draft EIS (p. 3-58).

### **4) Public Drinking Water Supply Sources**

The EPA is pleased the BLM's efforts working with the cities of Grand Junction and Palisade resulted in the establishment of NSO stipulations for the communities' municipal watersheds. These stipulations will help ensure the protection of important public drinking water resources.

#### Public Drinking Water Supply Characterization

It appears that not all of the public water supplies have been characterized in the Draft EIS. The Draft EIS makes mention of smaller drinking water systems tapped throughout the planning area (p. 3-58), but it is unclear whether protections will be required for them. The EPA recommends including a complete list of these public water supplies in the Final EIS, and whether they are groundwater or surface water sources.



## Public Drinking Water Supply Impacts

The Draft EIS provides an NSO stipulation for municipal watersheds in the planning area, and provides Controlled Surface Use (CSU) stipulations for the Mesa/Powderhorn source water protection areas (SWPAs) and the Jerry Creek watershed. Two other designated drinking water supply sources, the Colbran groundwater protection area and Vega groundwater protection area, are not provided protections through stipulations. Both of these drinking water supply sources are identified in the Draft EIS as “notable municipal water supply areas” (p. 3-58). In keeping with the Draft EIS water resource objective regarding protection of sources of drinking water, we recommend that the Final EIS include at a minimum the CSU stipulation for these resources. Alternatively, we suggest including an explanation of why protective measures are not provided.

In order to ensure public drinking water supply sources (e.g., surface water sources, including groundwater under the direct influence of surface water (GWUDI) sources, and groundwater sources) are fully protected from potential impacts associated with oil and gas leasing, the EPA provides the following recommended NSO language. This language is consistent with the CDPHE Source Water Protection Program (SWPP) recommendations:

Municipal Supply Watersheds<sup>2</sup> - NSO within any of the following areas as deemed appropriate by the BLM:

- The entire watershed;
- Local Source Water Protection Planning Areas where delineated in a Source Water Protection Plan; or
- Drinking water protection areas as defined by Source Water Assessment Areas evaluated by the State.

For surface water sources, if the Municipal Supply Watersheds NSO is not deemed feasible by the BLM, then at a minimum, we recommend the Final EIS cite the Colorado Oil and Gas Conservation Commission (COGCC) Regulation 317B and incorporate its requirements for protecting surface water drinking water supplies. See the COGCC website for information on regulations and maps, as follows:

- COGCC Rules - [http://cogcc.state.co.us/RR\\_Docs\\_new/rules/300Series.pdf](http://cogcc.state.co.us/RR_Docs_new/rules/300Series.pdf)
- Public Water Supply Surface Water Supply Area Map - [http://cogcc.state.co.us/RR\\_Docs\\_new/rules/AppendixVI.pdf](http://cogcc.state.co.us/RR_Docs_new/rules/AppendixVI.pdf)

For groundwater and GWUDI sources, if the Municipal Supply Watersheds NSO is not deemed feasible by the BLM, we recommend a minimum one-half mile (2,640 feet) NSO or Controlled Surface Use (CSU) concentric buffer for these sources. This recommendation is based on the professional judgment of the CDPHE SWPP. Please contact the CDPHE SWPP Coordinator for additional information.

Finally, the Draft EIS states that there will be “restriction of wells near domestic supplies.” The EPA recommends that the Final EIS clarify what this restriction will entail. Similarly, Lease Notice 1 included in the Preferred Alternative requires “special protective measures” if there is drilling within a source water protection zone. The EPA recommends a description in the Final EIS of these special

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<sup>2</sup> Forest Service Manual (FSM2542) defines Municipal Supply Watersheds to include: “surface supply watersheds, sole source aquifers, and the protection zones around wells and springs.”



protective measures.

## **5) Water Management and Water Resource Monitoring**

### *Water Management*

Given the large number of oil and gas wells projected in the Reasonable Foreseeable Development (RFD) scenario for the planning area, water demand associated with the drilling and completion of these wells is an important consideration that will benefit from careful analysis and disclosure. The EPA recommends the following analysis be included in the Final EIS:

- Estimated water demand for the anticipated oil and gas development in the planning area;
- Possible sources of this water; and
- Potential impacts of the water withdrawals (e.g. drawdown of aquifer water levels, reductions in stream flow, impacts on aquatic life, wetlands, and other aquatic resources).

In addition, the EPA recommends the Final EIS analyze how flow back and produced water will be managed, including:

- Estimated volumes of produced water;
- Options and potential locations for managing the produced water (i.e. UIC wells, evaporation ponds, and surface discharges);
- Possible target injection formations, formation characteristics and depth of any UIC wells; and
- Mitigation of potential impacts of produced water management.

The EPA recommends the BLM encourage operators to consider recycling produced water for use in well drilling and stimulation, thereby alleviating the need for water withdrawals and for produced water management/disposal facilities and minimizing the associated impacts.

### *Water Resource Monitoring*

The EPA recommends that the Final EIS address how water quality monitoring in the planning area will occur prior to, during, and after anticipated development to detect impacts to both surface water and groundwater resources, including private well monitoring. A recent example of a water quality monitoring plan is the “Long-Term Plan for Monitoring of Water Resources” developed by BLM for the Gasco Energy Inc. Uinta Basin Natural Gas Development Project Final EIS<sup>3</sup>. The National Ground Water Association’s Water Wells in Proximity to Natural Gas or Oil Development Brief<sup>4</sup> provides additional information on the importance of baseline sampling for private wells and types of analysis recommended.

<sup>3</sup>

[http://www.blm.gov/pgdata/etc/medialib/blm/ut/vernal\\_fo/planning/gasco\\_eis/gasco\\_folder\\_6.Par.10452.File.dat/28\\_Gasco%20Appendix%20O.%20Long-term%20Water%20Monitoring%20Plan.pdf](http://www.blm.gov/pgdata/etc/medialib/blm/ut/vernal_fo/planning/gasco_eis/gasco_folder_6.Par.10452.File.dat/28_Gasco%20Appendix%20O.%20Long-term%20Water%20Monitoring%20Plan.pdf)

<sup>4</sup> [http://region8water.colostate.edu/PDFs/Water\\_Wells\\_in\\_proximityNGWA2011.pdf](http://region8water.colostate.edu/PDFs/Water_Wells_in_proximityNGWA2011.pdf)

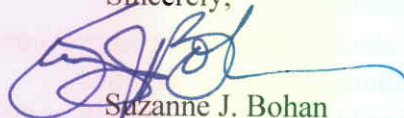


## The EPA's Rating

Based on our review, the EPA is rating the Draft EIS Preferred Alternative as "Environmental Concerns – Inadequate Information" (EC-2). The "EC" rating means that the EPA's review has identified potential impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the Preferred Alternative or application of mitigation measures that can reduce these impacts. The "2" rating indicates that the EPA has identified additional information, data, analyses, or discussion that we recommend for inclusion in the Final RMP/EIS. We have enclosed a description of the EPA's rating system for your convenience (Attachment 2).

We appreciate the opportunity to comment on this document, and hope our suggestions for improving it will assist you with preparation of the Final EIS. We would be happy to meet to discuss these comments and our suggested solutions. If you have any questions or requests, please feel free to contact either me at 303-312-6925 or David Fronczak of my staff at 303-312-6096 or by email at [fronczak.david@epa.gov](mailto:fronczak.david@epa.gov).

Sincerely,



Suzanne J. Bohan

Director, NEPA Compliance and Review Program  
Office of Ecosystems Protection and Remediation



## ATTACHMENT 1

### Potential Enhanced Mitigation Measures for the Grand Junction RMP

The EPA recommends that the BLM consider the following additional mitigation measures if future modeling or monitoring predicts a significant impact on air resources (i.e. an exceedance of the NAAQS) and require them to be employed on all new equipment either within one year of completing the modeling analysis or one year of a determination by BLM that a BLM-authorized source is causing or contributing to a significant impact on air resources.

- Reducing the total number of drill rigs
- Installing Tier IV or equivalent drill rig engines
- Seasonally reducing or ceasing drilling during specified periods
- Using only lower-emitting drill and completion rig engines during specified time periods
- Using natural gas-fired drill and completion rig engines.
- Replacing internal combustion engines with gas turbines for natural gas compression
- Using electric drill rig or compression engines
- Centralizing gathering facilities
- Limiting blowdowns or restricting them during specified periods.
- Installing plunger lift systems with smart automation
- Employing a monthly FLIR program to reduce VOCs
- Enhancing a direct inspection and maintenance program
- Tank load out vapor recover
- Enhanced VOC emission controls with 95% control efficiency on additional production equipment having a potential to emit of greater than 5 tons/year<sup>5</sup>

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<sup>5</sup> This list of measures is typical of adaptive management strategy lists contained in several recent NEPA documents, including the Greater Natural Buttes FEIS and the GASCO FEIS. The BLM MT draft ARMP for the HiLine RMP contains a list that includes many of these measures.



**ATTACHMENT 2**  
**U.S. Environmental Protection Agency Rating System for**  
**Draft Environmental Impact Statements**

**Definitions and Follow-Up Action\***

**Environmental Impact of the Action**

**LO -- Lack of Objections:** The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

**EC -- Environmental Concerns:** The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

**EO -- Environmental Objections:** The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

**EU -- Environmentally Unsatisfactory:** The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

**Adequacy of the Impact Statement**

**Category 1 -- Adequate:** EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

**Category 2 -- Insufficient Information:** The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new, reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

**Category 3 -- Inadequate:** EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.



**ATTACHMENT 1**  
**U.S. Environmental Protection Agency Hearing System for**  
**Final EPA Environmental Impact Statement**

**Definitions and Follow-Up Action\***

**Environmental Impact of the Action**

**EIS -** Act of Congress. The Environmental Impact Statement (EIS) is a document that describes the potential environmental impacts of a proposed action and the measures that will be taken to avoid, minimize, or compensate for those impacts. The EIS is a key document in the decision-making process for the proposed action.

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**Summary of the Final Statement**

**Category 1 -** Information. The EIS is a document that describes the potential environmental impacts of a proposed action and the measures that will be taken to avoid, minimize, or compensate for those impacts. The EIS is a key document in the decision-making process for the proposed action.

**Category 2 -** Information. The EIS is a document that describes the potential environmental impacts of a proposed action and the measures that will be taken to avoid, minimize, or compensate for those impacts. The EIS is a key document in the decision-making process for the proposed action.

**Category 3 -** Information. The EIS is a document that describes the potential environmental impacts of a proposed action and the measures that will be taken to avoid, minimize, or compensate for those impacts. The EIS is a key document in the decision-making process for the proposed action.

**Category 4 -** Information. The EIS is a document that describes the potential environmental impacts of a proposed action and the measures that will be taken to avoid, minimize, or compensate for those impacts. The EIS is a key document in the decision-making process for the proposed action.